IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Crl.Rev.Pet.No. 3049 of 2006()

CRA.171/2005 of ADDL. DISTRICT COURT (ADHOC -II) PATHANAMTHITTA.
CC.689/2001 of JUDL.MAGISTRATE OF FIRST CLASS COURT, THIRUVALLA

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REVN. PETITIONER/APPELLANT/ACCUSED:

P.N. AMMINIKUTTY,
W/O. GANESHAN ACHARI, AGED 53,
SREEVILASOM, MALAYIL THOPPIL LAKSHAMVEEDU,
PARUMALA MURI, KADAPRA VILLAGE.

BY ADV. SRI.K.P.SREEKUMAR
ADV. SRI.R.GIREESH VARMA
ADV. SRI.P.M.SATHEESH

RESPONDENTS/RESPONDENTS/COMPLAINANT & STATE::
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1. K.N. KUTTAN NAIR,
PREETHI BHAVAN, PARUMALA MURI, KADAPRA VILLAGE.

2. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

R1 BY SRI.VINOY VARGHESE KALLUMOOTTILL
R2 BY PUBLIC PROSECUTOR ADV. SHRI C.K. SURESH.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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CRL. R.P. 3049 OF 2006

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Dated this the 24th November , 2006

O R D E R

The petitioner was found guilty of the offence under section 138 oif the Negotiable Instruments Act and she was sentenced to undergo simple imprisonment for two months. The petitioner was also directed to pay a sum of Rs. 55,000/- as compensation to the complainant under section 357(3) of the Code of Criminal Procedure and in default of payment of compensation, to undergo simple imprisonment for one month. The petitioner challenged the conviction and sentence in appeal. The appellate court allowed the appeal in part. While confirming the conviction, the sentence was modified and reduced to simple imprisonment for one month. The direction to pay compensation was confirmed.

2. Crl.M.A. No.11901 of 2006 was filed by the revision petitioner seeking permission to compound the offence. The application was alllowed. Accordingly the conviction and sentence imposed on the

petitioner are set aside and the petitioner is acquitted under section 320 (8) of the Code of Criminal Procedure.

Crl. Revision Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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K.T. SANKARAN, J.

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CRL. M.A.NO. 11901 OF 2006
IN CRL. R.P. 3049 OF 2006

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Dated this the 24th November , 2006

O R D E R

This is an application filed under section 147 of the Negotiable Instruments Act seeking permission to compound the offence under section 138 of the Negotiable Instruments Act. It is stated in the affidavit sworn to by the revision petitioner/accused that the matter is settled between her and the first respondent/complainant. The application is signed by the complainant and the accused as well as by the counsel appearing for them. The application is allowed.

K.T. SANKARAN,
JUDGE.

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